IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1785 OF 2005

Shree Nootan Sarvodaya Education... Petitioner
Society and Anr.

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. N.V. Bandiwadekar for the petitioners.
Mr. Mihir Desai for the respondent No. 3.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 11th September, 2006

P.C.

. Rule. Heard forthwith.

2. The services of respondent No. 3 were terminated. Aggrieved respondent No. 3 preferred appeal to School Tribunal which directed reinstatement. That order was not challenged. Pursuant to that, petitioner have reinstated respondent No. 3. It is case of the petitioners that there after they submitted bills for release of salary grant to respondent No. 3 which are not being accepted. Hence, the present petition.

3. By order of 17th November, 2005, respondents

were asked to file reply. No reply is filed and when matter is called out, none present for respondent Nos. 1 & 2.

4. Considering what has been set out above, the petitioners are directed to file the salary bills before respondent No. 2 within two weeks. On bills being presented, respondent No. 2 after hearing the petitioners, to take decision within six weeks from receipt of bills, as to whether the post to which respondent No. 3 has been reinstated is a sanctioned post, and if respondent came to the conclusion that the post is sanctioned then to release the salary grants according to law. If there be any adverse order, the petitioner will be entitled to take steps in law to which he is entitled to.

5. With the above observations, the petition is disposed of.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]